

***United States Court of Appeals***

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

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April 08, 2016

Mr. David O'Toole  
Eastern District of Texas, Sherman  
101 E. Pecan Street  
Federal Building  
Room 216  
Sherman, TX 75090-0000

No. 15-41481 USA v. Frank Pate  
USDC No. 4:14-CR-125-1

Dear Mr. O'Toole,

Enclosed is a copy of the judgment issued as the mandate.

Sincerely,

LYLE W. CAYCE, Clerk

*Angelique D. Batiste*

By: \_\_\_\_\_  
Angelique D. Batiste, Deputy Clerk  
504-310-7715

cc w/encl:

Ms. Terri Lynn Hagan  
Mr. Seth Kretzer  
Mr. James Andrew Williams

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 15-41481

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UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

FRANK EDWIN PATE,

Defendant - Appellant

A True Copy

Certified order issued Apr 08, 2016

*Lyfe W. Cayce*

Clerk, U.S. Court of Appeals, Fifth Circuit

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Appeals from the United States District Court for the  
Eastern District of Texas, Sherman

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Before JOLLY, DENNIS, and PRADO, Circuit Judges.

PER CURIAM:

IT IS ORDERED that the joint motion to vacate the sentence and remand the case to the district court for resentencing is GRANTED.

IT IS FURTHER ORDERED that appellee's unopposed alternative motion for extension of time until thirty (30) days after denial of the motion to remand is DENIED as MOOT.